



Signed and Filed: October 22, 2025

Lewis Montali

**DENNIS MONTALI**  
**U.S. Bankruptcy Judge**

UNITED STATES BANKRUPTCY COURT

NORTHERN DISTRICT OF CALIFORNIA

In re ) Bankruptcy Case  
THE ROMAN CATHOLIC ARCHBISHOP ) No. 23-30564-DM  
OF SAN FRANCISCO, )  
Debtor. )  
 )  
 )  
 )  
 )  
 )

**ORDER GRANTING MOTION TO ALLOW FILING OF LATE CLAIM**

On September 5, 2025, movant LL John Doe JRO ("Movant") filed a Motion for an Order to Enlarge the Claims Bar Date to Allow the Filing of Late Proof of Claim ("Motion") (Dkt. 1326). On October 9, 2025, Debtor filed a Response and Reservation of Rights (Dkt. 1391). Movant filed a reply (Dkt. 1401) thereafter. For the reasons set forth below, the court will GRANT the Motion.

## I. Discussion

A bankruptcy court may, on motion of a claimant filed after the applicable deadline, deem a late claim to be timely filed if the delay "was the result of excusable neglect." Fed. R. Bankr. Pro. 9006(b)(1). The decision regarding whether a late claim

1 was the result of excusable neglect "is at bottom an equitable  
2 one, taking account of all relevant circumstances surrounding  
3 the party's omission." *Pioneer Inv. Services Co. v. Brunswick  
4 Associates Ltd. Partnership*, 507 U.S. 380, 395 (1993).

5 Circumstances include "the danger of prejudice to the debtor,  
6 the length of the delay and its potential impact on judicial  
7 proceedings, the reason for the delay, including whether it was  
8 within the reasonable control of the movant, and whether the  
9 movant acted in good faith." *Id.* The court may weigh each these  
10 factors in its discretion.

11 Neither the Debtor nor the court question the Movant's good  
12 faith. The court considers the remaining *Pioneer* factors below.

13 Here, the delay is long – one year and six months after the  
14 Claims Bar Date passed on February 20, 2024. This length of  
15 delay in seeking allowance of the late filed claim is certainly  
16 on the outer bounds of acceptability without further  
17 explanation.

18 Movant's counsel explains that a claim was timely filed in  
19 the bankruptcy of the Roman Catholic Bishop of Oakland, Case No.  
20 23-40523, and only recently was counsel informed that the proper  
21 Defendant was this Debtor and not the Bishop of Oakland. It is  
22 due to this very limited circumstance that the court is  
23 persuaded to allow the late claim, subject to other relevant  
24 objections to the claim the Debtor may bring.

25 Further, the prejudice to the Debtor and the impact on  
26 judicial proceedings is currently lower, but increasing each day  
27 as mediation continues. The Debtor is mediating a global  
28 resolution as to all claims and has not yet proposed a plan, but

1 that plan, according to Debtor, requires a strict accounting of  
2 all claimants and that calculation cannot continue to change  
3 with a stream of late claims.

4       **II. Conclusion**

5       For the reasons stated above the court hereby GRANTS the  
6 Motion and DROPS a hearing on the matter set for October 23,  
7 2025 at 1:30 p.m. **Within 30 days of entry of this Order,**  
8 Movant, via counsel, shall file, if he has not already, his  
9 Proof of Claim and Confidential Survivor Supplement with claims  
10 and noticing agent for the Debtor, Omni Agent Solutions Inc.,  
11 pursuant to the instructions on those aforementioned documents.

12       The court FURTHER ORDERS that:

- 13       1) Nothing herein shall be construed to impair or diminish in  
14       any way the rights of any party, including the Debtor, to  
15       object to the claim of Movant on any grounds except for the  
16       timeliness of the filing of Movant's claim, pursuant to  
17       Federal Rule of Bankruptcy Procedure 3007 or any other  
18       applicable law, or any procedure approved by the Bankruptcy  
19       Court with respect to the same. All parties' rights and  
20       defenses with respect to any objection to Movant's claim  
21       are expressly reserved, including without limitation any  
22       time-bar or statute of limitations defenses (other than  
23       timeliness of the filing of Movant's Claim).
- 24       2) Nothing herein shall be construed to impair or diminish in  
25       any way the rights of any party, including the Debtor, to  
26       object to other claims not filed prior to the February 20,  
27       2024, Bar Date, for which a corresponding motion to allow  
28       late-filed claim(s) is pending or has not yet been filed,

on any grounds. All parties' rights and defenses with respect to other claims not timely filed by the February 20, 2024, Bar Date are expressly reserved, including without limitation any time-bar or statute of limitations defenses (including the timeliness of the filing of the other claims).

\*\*END OF ORDER\*\*

COURT SERVICE LIST

## ECF Recipients